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December 3, 2008

HAND DELIVERED

Jeffrey M. Smith, Planning Specialist
Office of Policy and Management
450 Capital Avenue
MS# 54ORG
Hartford, CT 06106

Re: Application For Interim Change To Conservation And Development Policies Plan
Property Location: East Road (Rear), East Windsor

Dear Mr. Smith:

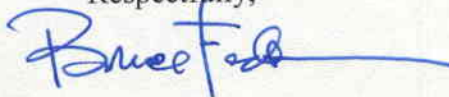
On behalf of Myers Nursery, Inc. and The Rya Corporation, I wish to submit to Robert L. Genuario, Secretary, Connecticut Office of Policy and Management, the subject application for changing the designation of the property to a Growth Area from a Conservation Area in the C&D Plan map. Myers Nursery is the owner of the property and the Rya Corporation is a real estate developer with an interest in developing the property which is situated adjacent to other properties that Myers Nursery and Rya have developed together.

With this letter, I am enclosing three (3) original copies of the application which includes, among other attachments: (i) at Exhibit A, a map based on a USGS plan (scale 1:24,000, 1"=2000') showing the location of the subject property, (ii) at Exhibit B, a portion of a USGS topographic plan (scale 1:24,000, 1"=2000') depicting, again, the property, with topographic contours, and (iii) at Exhibit E, a copy the East Windsor Planning and Zoning Commission's July 24, 2008, letter supporting the interim change. These attachments, together with the entire application, constitute the narrative of the application and the supporting documentation, as required by the regulations established under General Connecticut Statute §16a-24 and related statutes.

Please contact me if you have any question.

Thank you.

Respectfully,



cc: Please see next page

cc: Hon. Gary LeBeau, Senator, 3rd Senatorial District
Hon. Theodore Graziani, Representative, 57th Assembly District
Hon. Denise Menard, First Selectman (w/attach.)
Laurie Whitten, CZEO, AICIP, Town Planner (w/attach.)
Kevin Leslie, Superintendent, WPCA (w/attach.)
William Hogan, CT Department of Environmental Protection (w/attach.)
Myers Nursery, Inc. (w/attach.)
The Rya Corporation (w/attach.)

TO: ROBERT L. GENUARIO, SECRETARY
Connecticut Office of Policy and Management

APPLICANTS: THE RYA CORPORATION and
MYERS NURSERY, INC.

PROPERTY OWNER: MYERS NURSERY, INC.

PROPERTY: EAST ROAD, EAST WINDSOR, CT

REQUEST: CHANGE DESIGNATION OF PROPERTY
TO GROWTH AREA CLASSIFICATION

**APPLICATION FOR INTERIM CHANGE TO CONSERVATION AND
DEVELOPMENT POLICIES PLAN**

I. **INTRODUCTION**

The application is being made to Robert L. Genuario, Secretary, State of Connecticut Office of Policy and Management ("OPM"). The applicants are Myers Nursery, Inc, a Connecticut corporation with its principal place of business located in East Windsor, Connecticut, which is acting through its president, Lewis C. Myers ("Myers Nursery") and The Rya Corporation, a Connecticut corporation with its principal place of business located in Tolland, Connecticut, which is acting through its president, Werner Kunzli ("Rya"). The application pertains to certain real property that is situated to the rear of East Road, East Windsor, and is known as the "Site" on the map or plan entitled, "Land Use Change Map Conservation Area to Growth Area Tarbell Heintz & Associates Inc. 1227 Burnside Ave., Suite 31 East Hartford, Ct. 06108 Date: 09/29/08 Sheet: Figure 1" ("Property"). A copy of this map is attached hereto as EXHIBIT A. The Property is also shown as "A" on a map or plan entitled, "United States Department Of The Interior Geological Survey Broad Brook Quadrangle Connecticut 1964" ("Geological Survey Map"), which is attached as EXHIBIT B. Currently, the Property is designated as a Conservation Area according to the Conservation and Development Policies Plan for Connecticut 2005-2010, Location Guide Map for the town of East Windsor ("C&D Plan"), a copy of which is attached as EXHIBIT C. The applicants are requesting that OPM approve an interim change to the C&D Plan so that the Property is

designated a Growth Area. With the change, Rya, which is working with Myers Nursery to develop the Property, would be able to make a request to the East Windsor Water Pollution Control Authority ("WPCA") that it approve the Property's connection to the public sewer system proposed to be developed on land adjacent to the Property.

II. SUMMARY OF THE REASONS FOR THE APPLICATION

The Connecticut Department of Environmental Protection has informed the WPCA that the State is unwilling to participate in the funding of any future local public sewer system if its location does not comply with the C&D Map. Under this map, a public sewer system would comply if it is located on land that is designated as either a Regional Center, Neighborhood Conservation or Growth Area. The WPCA is in the process of preparing and adopting a new service area map for the extension of public sewers within the town of East Windsor. This proposed service area map, a copy of a portion of which is attached as EXHIBIT D, includes as being within the service area a new, but not yet developed, subdivision called Quarry Meadow Subdivision of SJK Properties which is shown as "B" on the Geological Survey Map (Exhibit B). However, the WPCA is not proposing to include the Property within the service area, despite its proximity to the Quarry Meadow Subdivision and despite Rya's request to include it. The WPCA is unwilling to include the Property within the proposed public service area because the Property, similar to the Quarry Meadow Subdivision, is designated as a Conservation Area under the C&D Plan. With the change in the designation of the Property to Growth Area, the WPCA would not risk losing the State's funding for future public sewer projects if the WPCA approved a sewer extension to the Property. The East Windsor Planning and Zoning Commission ("PZC") is in support of the interim change to Growth Area for the Property, as set forth in its letter dated July 24, 2008, a copy of which letter is attached as EXHIBIT E.

III. STATEMENT OF FACTS

In support of the application, the applicants represent the following:

1. The Property consists of 50.08 acres and is part of a three phase residential subdivision project called Hemlock Court. On September 24, 2002, the PZC approved a 13 lot subdivision for the Phase I portion of the project. As part of this subdivision application, the PZC requested that RYA submit a conceptual plan, showing the overall layout and interconnections of the public improvements (such as roads and public utilities) proposed for all three phases of Hemlock Court ("Conceptual Plan"). A copy of the Conceptual Plan is attached hereto as EXHIBIT F. On June 14, 2005, the PZC approved a 9- lot subdivision as Phase II, which proposed a residential development consistent with the Conceptual Plan. To date, 18 of the 22 lots under Phases I and II have been sold and all lots will be developed with on-site engineered septic systems, as such systems have been reviewed and approved by the appropriate governmental body, the North Central Health District, Enfield, CT.

2. During the course of development of Phase I, Rya discovered that the subject land contained a hazardous substance, ethylene dibromide (EDB) and, in conjunction with the Connecticut Water Company, installed a public water system that presently serves Phases I and II and has the capacity to service a Phase III residential subdivision. Rya and Myers Nursery paid approximately \$400,000 to install this public infrastructure, anticipating that it would be feasible with the development of all three phases of the subdivision.

3. Insofar as the actual installation of other public infrastructure for the Hemlock Court Subdivision, the town has accepted the roads of the Phases I and II subdivisions as public roads which, presently, dead end at their boundary with the Property. Additionally, Rya has installed, in conjunction with Yankee Gas, a natural gas line which may be used to service areas outside the subdivision.

4. Rya and Myers Nursery have dedicated approximately 40 acres of land as open space in order to satisfy the existing subdivision requirements of Phases I and II and the future subdivision requirement of Phase III. In other words, the PZC will not be requiring Rya to dedicate additional open space land at the time a Phase III subdivision is approved. Notwithstanding the satisfaction of the open space requirements for Phase III,

Rya is willing to dedicate additional land for open space purposes, including land that is part of Broad Brook which, generally speaking, is a scenic river corridor.

5. While Phases I and II were being developed, the Property, which, again, constitutes the land for the Phase III portion, was the subject of an extensive earth excavation project by a third party. The Property was over-excavated and, according to the October 26, 2006, correspondence from North Central District Health Department to Rya's surveyors and project consultant, Tarbell, Heintz & Associates of East Hartford, CT, the "soil conditions in most areas do not meet the minimum requirements of the public health code." This correspondence is attached hereto as EXHIBIT G.

6. The two-fold effect of the over-excavation of the Phase III land is: (i) the land no longer contains soils suitable for farming, and (ii) the land is unsuitable for the installation of engineered on-site septic systems, as originally anticipated in the Conceptual Plan. As a result, the only way in which Rya may develop Phase III of the residential project is by way of connecting it to public sewers.

7. During the time the PZC approved Phase I and Phase II, the PZC, not the WPCA, was the local authority for approving public sewer connections within the town of East Windsor. Sometime thereafter, such review and approval authority was transferred to the WPCA.

8. The Property is adjacent to the new residential subdivision known as Quarry Meadow Subdivision of SJK Properties. On September 27, 2006, the WPCA, given its then new authority to review public sewer connections, approved this subdivision for connection to the public sewers. Interestingly, this subdivision is designed to hook-up to the public water system constructed by Rya and Myers Nursery as part of the Hemlock Court Subdivision.

9. On February 16, 2007, Rya submitted an application to the WPCA, requesting that it approve the connection of the Phase III subdivision with the public sewer infrastructure that is to be developed as part of the Quarry Meadow Subdivision. The Phase III subdivision proposes to create no greater than 29 lots which is consistent with the Conceptual Plan. The town engineer, Leonard J. Norton, P.E., reviewed the application for its compliance with the technical engineering requirements and determined that the public sewer system designed by Rya is in compliance, as evidenced

by Mr. Norton's Interoffice Memorandum to Mr. Kevin Leslie, the WPCA administrator, dated April 16, 2007. A copy of this letter is attached as EXHIBIT H. On April 25, 2007, the WPCA denied Rya's request and, on May 8, 2007, Rya commenced an appeal to the Hartford Superior Court with respect to the WPCA's denial. This appeal is pending.

10. According to the testimony of Mr. Leslie, the East Windsor sewer plan is functioning at 39% capacity. See, generally, the February 26, 2007, letter from Kevin Leslie to Rya's attorney, Bruce Fader, a copy of which letter is attached as EXHIBIT I. In light of this information, the East Windsor public sewer system has the capacity to service the Property.

11. Presently, the WPCA is in the process of redefining the public sewer service areas within the town of East Windsor. According to the latest proposal, the Quarry Meadow Subdivision property is located within the new service area but the Phase III property is excluded, as seen in EXHIBIT D.

12. The Phase III land is within proximity of an older residential subdivision named Sullivan Farms which is shown as "C" on the Geological Survey Map (Exhibit B). The lots within this subdivision are substandard insofar as lot area under the current zoning regulations and contain on-site septic systems. In the event of septic failures, the lots may need to hook-up to a public sewer system, if available.

13. The applicants are not seeking to have the Phase I or Phase II lots connected to the public sewer system. Furthermore, any public sewer line and other facilities for Phase III purposes may be designed in order to limit future hook-ups, as may be determined by government officials.

IV. REASONS FOR SUPPORTING THE INTERIM CHANGE TO GROWTH AREA FROM CONSERVATION AREA.

Six important reasons exist to support the interim change, as follows:

1. The Phase III Land No Longer Contains Soils That Would Support Agricultural Activities. According to the State Action Strategies for "conservation areas," these areas are reserved for "prime agricultural lands -- active agricultural lands or prime soils of 25 or more acres of contiguous land." In our situation, the Phase III land

cannot sustain any agricultural activities because of the over-excavation by a third party and therefore the Property no longer satisfies the qualification for a "conservation area."

2. The Phase III Land No Longer Should Be Set Aside For Sand And Gravel Resources Because Such Resources Have Already Been Depleted. Again, according to the State Action Strategies, an area suitable for the "conservation areas" designation includes "sand and gravel resources with 50 feet or more of construction aggregate commodities." Considering that such resources have already been exploited by a third party, the Phase III land can no longer be conserved for sand and gravel resources purposes.

3 The Phase III Land Satisfies The State Action Strategy For Growth Areas. As stated in the State Action Strategy, Growth Areas are lands that "reflect moderately developed areas with vacant, developable lands, existing or planned water or sewer services, and the potential for future mixed use and intensive development of area wide significance." In the instant matter, Rya and Myers Nursery have, at their own considerable expense, installed a public water system as the proper remedy to an environmental situation that it did not create. Additionally, Rya, with the PZC's review, designed and constructed a public road system that interconnects Phases I, II and III of the Hemlock Court Subdivision. Together, these phases constitute an "intensive development of area wide significance."

4. The Interim Change To Growth Area For The Phase III Land Would Have The Secondary Benefit Of Promoting The Conservation Area Objective Of Protecting A River Corridor. According to its objectives, a Conservation Area is to protect natural resources, such as scenic and recreational river corridors. The Property contains a river corridor along the Broad Brook. Rya is willing to preserve this corridor with a conservation easement (or with some other legally enforceable mechanism), even though it has already satisfied the local subdivision requirements for the dedication of open space. By preserving the river corridor as part of its Phase III residential subdivision, Rya would be concurrently developing the portion of the Property that has already been disturbed by the earth excavation activities and preserving the more environmentally sensitive, non-disturbed portion.

5. The Property Is Suitable For Residential Development With Public Sewers. The development of the Property with public sewers makes sense from several different perspectives. Primarily, from a public health point of view, public sewers should be extended to the Property because the over-excavation of the Phase III land makes it unsuitable for the installation of on-site septic systems. Secondly, from a land use prospective, the WPCA and the PZC have approved the extension of public sewers to the new residential subdivision that is located immediately to the south, Quarry Meadow Subdivision of SJK Properties. The extension of the public sewers from this subdivision to the Property makes simple sense, particularly in light of the fact that the Quarry Meadow Subdivision intends to utilize the public water infrastructure constructed and paid by Rya and the Property owner, Myers Nursery. Thirdly, technically, a public sewer extension to a Phase III subdivision is feasible. The East Windsor town engineer has already reviewed and approved the public sewer system extension for a proposed Phase III subdivision and, in addition, the local sewer plant has the capacity to absorb any effluent created by Phase III. Lastly, from the perspective of addressing future public health needs, the extension of the public sewers to the Property would facilitate the availability of public sewers to the Sullivan Farms subdivision which includes relatively smaller lots with on-site septic systems. If these systems fail, then the public sewer extension to the Property would be available to serve the potential failed septic systems of Sullivan Farms.

6. The Local Planning and Zoning Commission Is In Support Of The Interim Change Application. The East Windsor Planning and Zoning Commission, which is the local authority for the promotion of rational land use planning, is in support of the change to Growth Area from Conservation Area for the Property. After much consideration, the PZC acted to support the subject application for the interim OPM change for many of the same reasons set forth herein.

V. CONCLUSION


Given the current physical characteristics of the Property, it would not promote the objectives of a Conservation Area. The Property is no longer either "prime agricultural land" or suitable for preserving "sand and gravel resources," given the past over-excavation by a third party. Additionally, by being re-designated as a Growth Area, the Property would be eligible to be part of the WPCA's public sewer service area which, in turn, would facilitate the completion of the three phases of the Hemlock Court Subdivision, as envisioned by Rya and the PZC in the Concept Plan. Upon the full completion of the subdivision, the town would have available to it a full complement of public water, road and sewer infrastructures, in addition to the preservation of a river corridor situated on the Property for the public to enjoy.


The applicants respectfully submit their application to the Connecticut Office of Policy and Management and request that the Phase III land of the Hemlock Court Residential Subdivision be changed to a Growth Area.

Thank you.

THE RYA CORPORATION

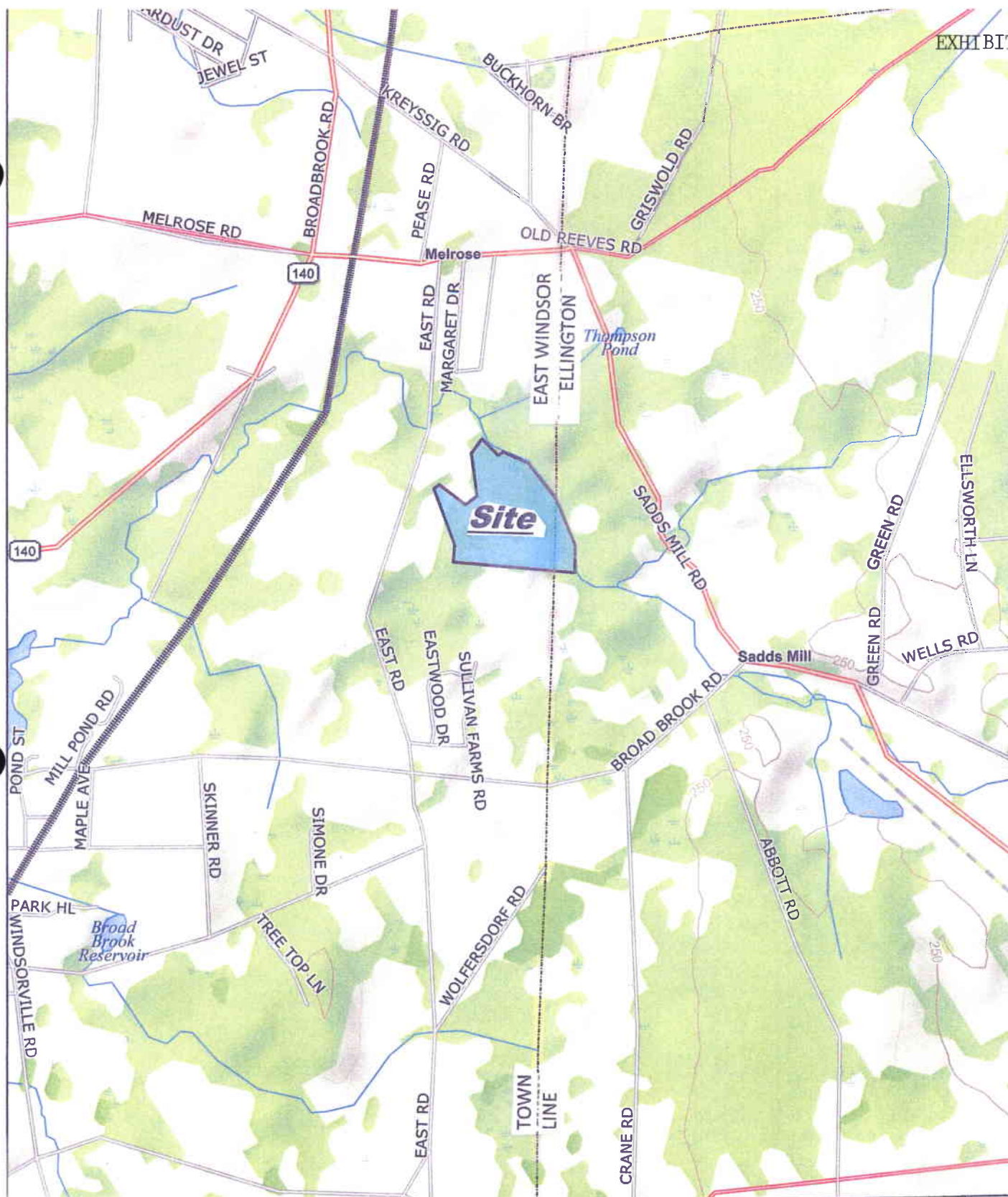
MYERS NURSERY, INC.


By: Werner O. Kunzli
Its: President, Duly Authorized


By: Louis C. Myers
Its: President, Duly Authorized

cc: Please see next page.

cc: Hon. Gary LeBeau, Senator, 3rd Senatorial District
Hon. Ted Graziani, Representative, 57th Assembly District
Hon. Denise Menard, First Selectman (w/attach.)
Laurie Whitten, CZEO, AICIP, Town Planner (w/attach.)
Kevin Leslie, Superintendent, WPCA (w/attach.)
William Hogan, CT Department of Environmental Protection (w/attach.)
Myers Nursery, Inc. (w/attach.)
The Rya Corporation (w/attach.)



Land Use Change Map
Conservation Area to Growth Area

Location:

East Windsor, Ct.

**Tarbell Heintz
& associates inc.**

1227 Burnside Ave. Suite 31
East Hartford, Ct. 06108
860-528-1810 Fax: 860-528-9495

Rya Corp. and Myers Nursery
East Road (Rear)

Job No. 802-III
Source: USGS QUAD # 23

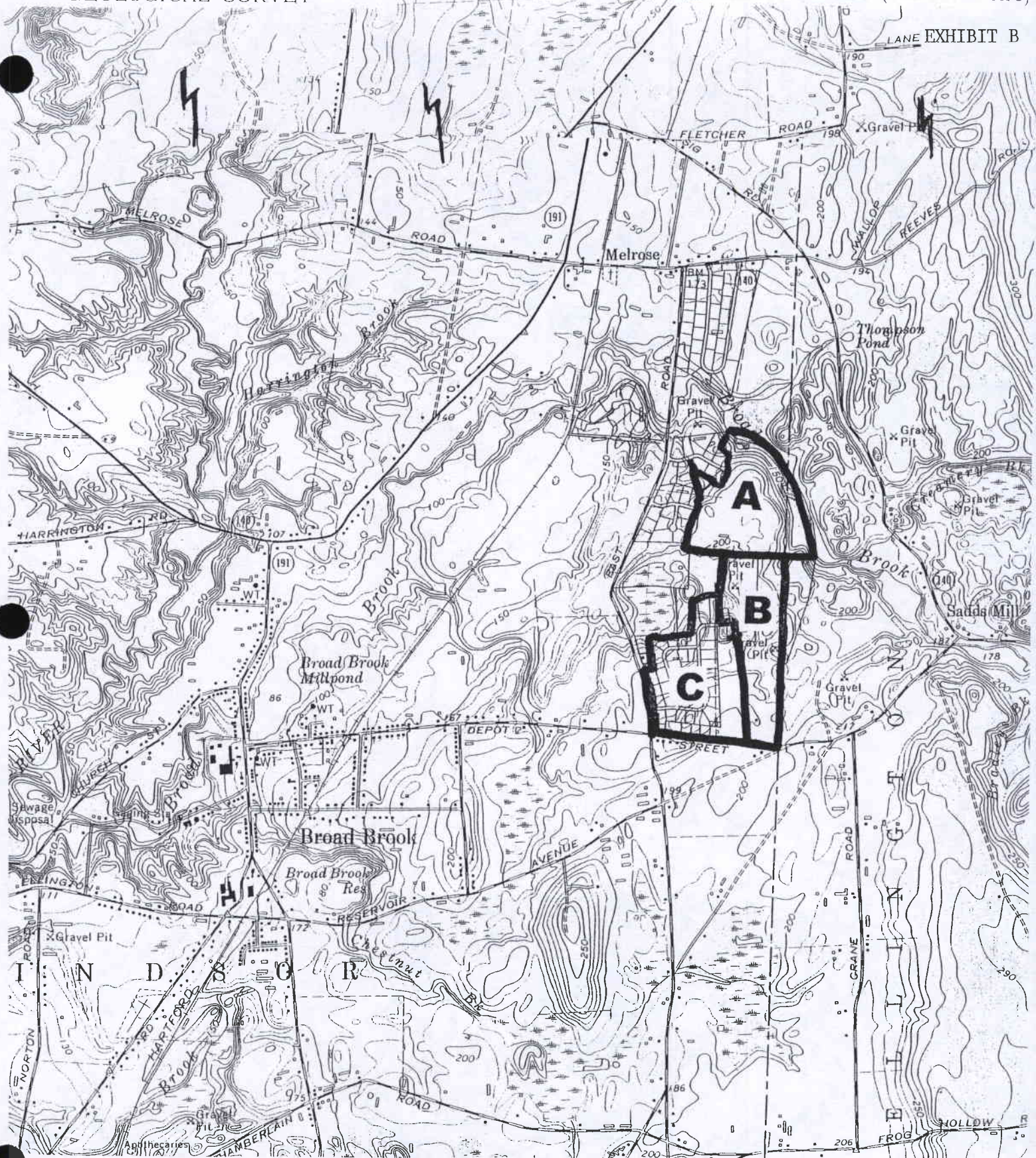
DATE:
09/29/08

SHEET:

Figure 1

SCALE:
1:24,000

LANE EXHIBIT B



SCALE 1:24 000

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1 5 0 1 KILOMETER

CONTOUR INTERVAL 10 FEET
DATUM IS MEAN SEA LEVEL

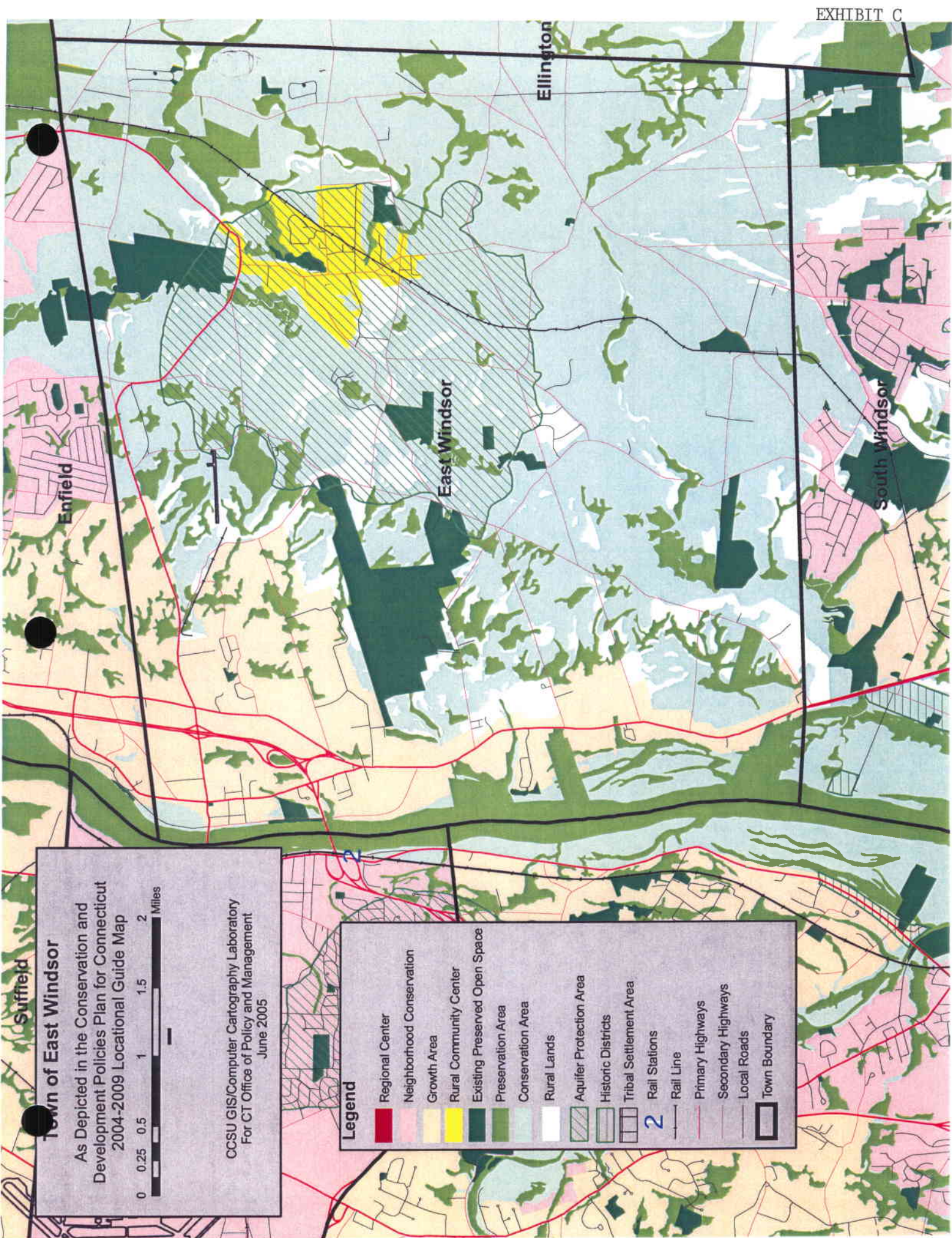
1 MILE

BROAD BROOK, CONN.
N4152.5—W7230/7.5

1964

AMS 6467 1 NE—SERIES V816

HARTFORD CO
TOLLAND CO





Town of East Windsor

Hartford County, State of Connecticut

Sewer Service Area

Enfield

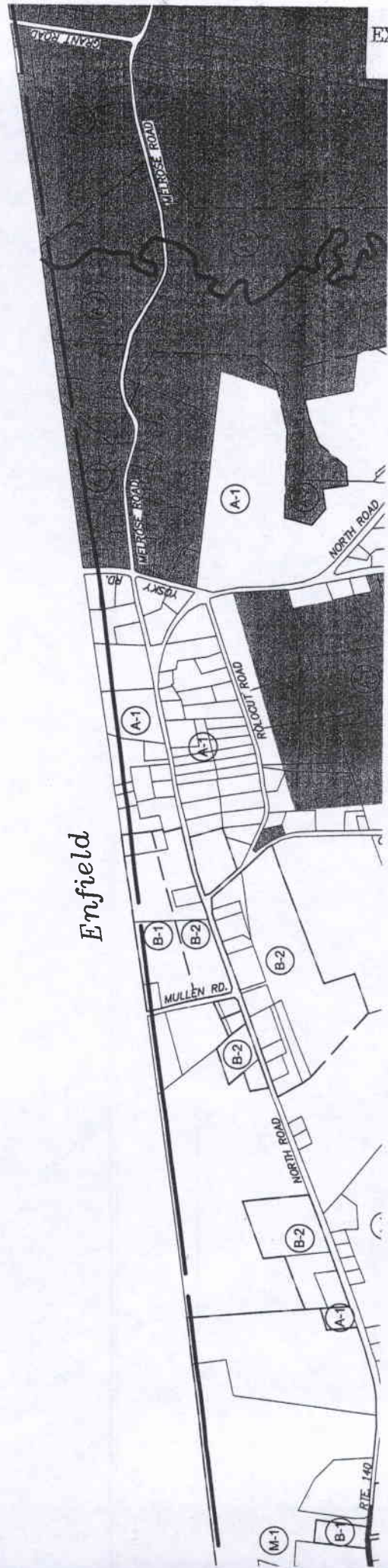
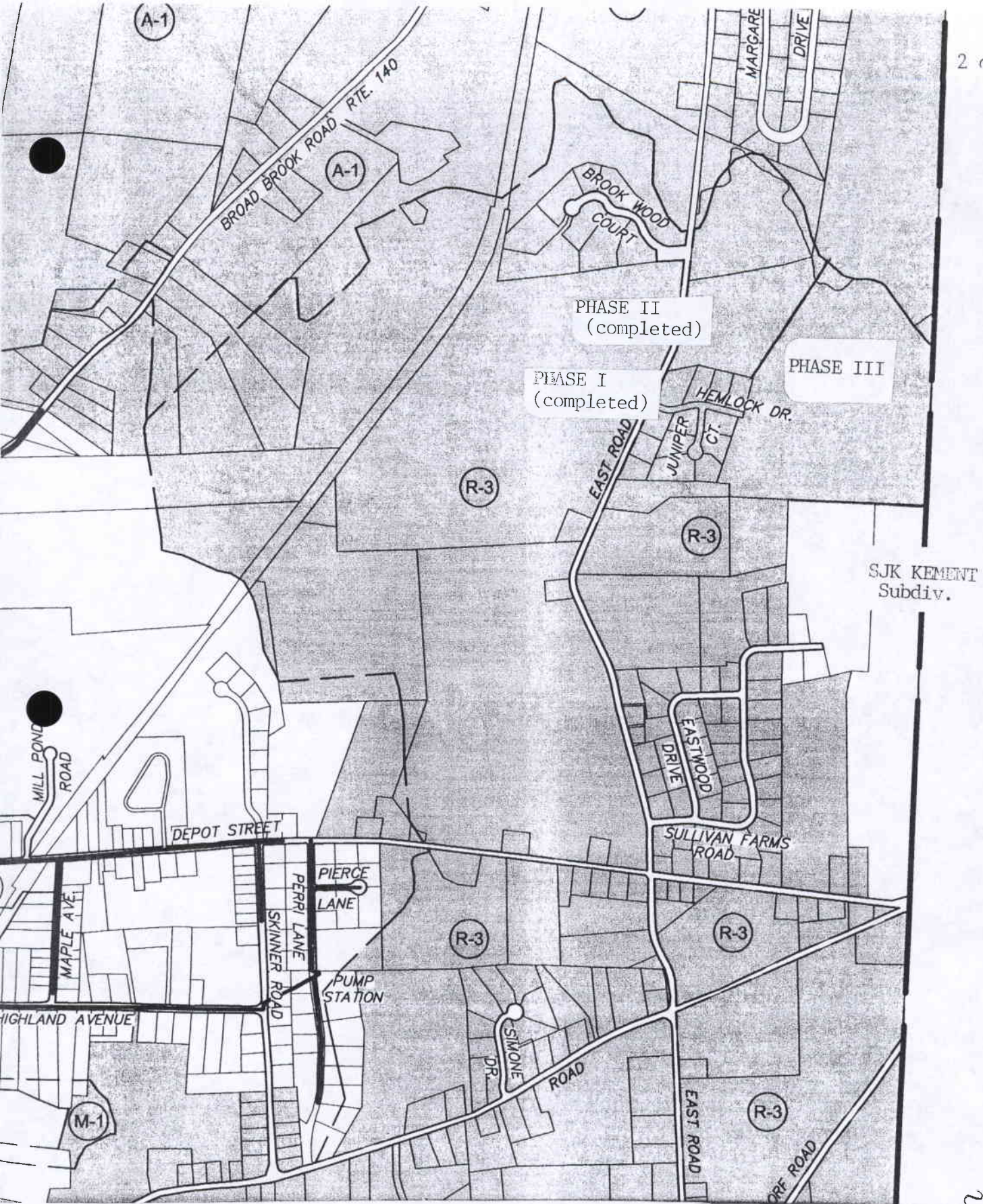
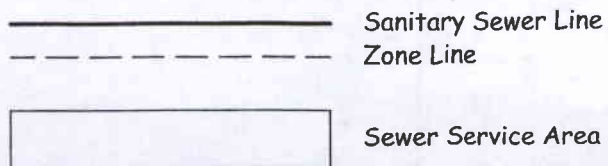


EXHIBIT D

1 of 2



Legend



Ellington



TOWN OF EAST WINDSOR

PLANNING & ZONING DEPARTMENT

11 RYE STREET, P.O. BOX 389

BROAD BROOK, CT. 06016

FAX: (860) 623-6030

TOWN PLANNER LAURIE WHITTEN, CZEO, AICP

ZONING ENFORCEMENT OFFICER, KATIE BEDNAZ

July 24, 2008

Re: Request of Rya Corp- Melrose/Hemlock Court Subdivision Phase III- for application for interim change of OPM map to allow the area of the subdivision to be reclassified from a conservation area to a growth area on the State Plan of Conservation and Development

To Whom It May Concern:

At the regular meeting of the East Windsor Planning and Zoning Commission (PZC) held on July 22, 2008, The Commission took the following action:

The PZC supports the request of Rya Corporation to go to OPM for an interim change application from a designation of conservation to a growth area in the State Plan of Conservation and Development.

Explanation:

The PZC believes that this area should be able to tie in to the sewer service for the following reasons:

1. The unsuitability of the soils for septic is a unique situation.
2. From conception, the development was presented as a 3 phase project, with the understanding that the site was suitable for septic.
3. From a planning perspective, the land in question is suitable for housing, and was intended to be developed as such. The project will be better designed, and create an improved neighborhood setting if it is able to be completed as originally intended. Should that require sewers, then sewers should be able to be utilized to complete the project, as they are easily accessed.
4. It appears that since the farmland soils have been removed from this site, that housing to fullest capacity would be the highest and best use for this site.
5. This is a unique situation with many variables that were discussed, and in no way should be construed as precedent setting for other potential applications.

Cc: Kevin Leslie, Director of WPCA
WPCA
Denise Menard, First Selectman

UPW



SUBDIVISION PLAN "HEMLOCK COURT" EAST ROAD

EAST WINDSOR, CONNECTICUT

OWNER

MERS NURSERY
 18 MAIN STREET
 BROAD BROOK, CT 06016

APPLICANT

RVA CORPORATION
 P.O. Box 889
 TOLLAND, CT 06084

ENGINEERS &
 SURVEYORS

GREGORY BLESSING, P.E. & ASSOCIATES
 67 ST. MORITZ, CIRCLE
 WILMINGTON, CT. 06279

1. This plan of subdivision is filed for record in the office of the Registrar of Deeds for the State of Connecticut, under the name of "HEMLOCK COURT" and is subject to the provisions of the Subdivision Map Act, Chapter 224a of the General Statutes of the State of Connecticut.
2. The land shown on this plan is owned by Mers Nursery, Broad Brook, Connecticut.
3. The land shown on this plan is subject to the provisions of the Subdivision Map Act, Chapter 224a of the General Statutes of the State of Connecticut.
4. The land shown on this plan is subject to the provisions of the Subdivision Map Act, Chapter 224a of the General Statutes of the State of Connecticut.
5. The land shown on this plan is subject to the provisions of the Subdivision Map Act, Chapter 224a of the General Statutes of the State of Connecticut.
6. The land shown on this plan is subject to the provisions of the Subdivision Map Act, Chapter 224a of the General Statutes of the State of Connecticut.
7. The land shown on this plan is subject to the provisions of the Subdivision Map Act, Chapter 224a of the General Statutes of the State of Connecticut.
8. The land shown on this plan is subject to the provisions of the Subdivision Map Act, Chapter 224a of the General Statutes of the State of Connecticut.
9. The land shown on this plan is subject to the provisions of the Subdivision Map Act, Chapter 224a of the General Statutes of the State of Connecticut.
10. The land shown on this plan is subject to the provisions of the Subdivision Map Act, Chapter 224a of the General Statutes of the State of Connecticut.

SHEET NO.	TITLE OF SHEET
1	LOCATION MAP AND SET MAP
2	PROPOSED LOTS
3	PLAN & EASEMENTS
4	SECTION, CORNER & RECONSTRUCTION PLAN
5	SECTION, CORNER & RECONSTRUCTION PLAN
6	SECTION, CORNER & RECONSTRUCTION PLAN
7	SECTION, CORNER & RECONSTRUCTION PLAN
8	SECTION, CORNER & RECONSTRUCTION PLAN
9	SECTION, CORNER & RECONSTRUCTION PLAN
10	SECTION, CORNER & RECONSTRUCTION PLAN

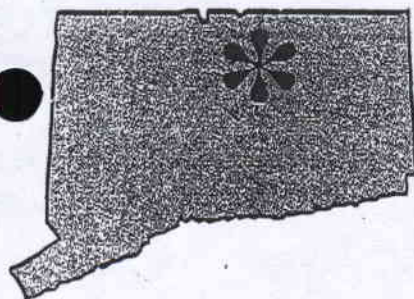
Scale 1" = 200'

APPROVED FOR RECORDING

 REGISTRAR OF DEEDS

APPROVED FOR RECORDING

 TOWN CLERK

**NORTH CENTRAL DISTRICT HEALTH DEPARTMENT**

☐ ENFIELD - 31 North Main Street • P.O. Box 1222 • Enfield, CT 06083 • 860-745-0383 • Fax 745-3188
☐ VERNON - 30 Lafayette Square, Suite 106 • Vernon, CT 06066 • 860-872-1501 • Fax 872-1531
☐ WINDHAM - Town Hall, 979 Main Street • Willimantic, CT 06226 • 860-465-3033 • Fax 465-3032
☐ STAFFORD - Town Hall, 1 Main Street • Stafford Springs, CT 06076 • 860-684-5609 • Fax 684-1768

WILLIAM H. BLITZ, M.P.H., M.U.P., R.S.
DIRECTOR OF HEALTH

Fax No.: 860-745-3188

FAX TRANSMISSION COVER SHEET

Date: 10-26-06

To: Russ

Fax No.: _____

Subject: Hernlock III

YOU SHOULD RECEIVE 10 PAGE(S), INCLUDING THIS COVER SHEET.
IF YOU DO NOT RECEIVE ALL THE PAGES, PLEASE CALL: **745-0383**

Comments: _____

CONFIDENTIALITY NOTE

The document accompanying this fax transmission contains information from the North Central District Health Department which is confidential and/or legally privileged. The information is intended only for the use of the individual or entity named on this transmission sheet. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or the taking of any action in reliance on the contents of this fax information is strictly prohibited and the document should be returned to this firm immediately. In this regard, if you have received this fax in error, please notify us by telephone immediately so we can arrange for the return of the original documents to us at no cost to you.



North Central District Health Department

- ☐ Enfield - 121 Pearl Street - P. O. Box 1222 - Enfield, CT 06083 - (860) 745-0383 Fax 745-3188
- ☐ Vernon - 30 Lafayette Square, Suite 206 - Vernon, CT 06066 - (860) 872-1501 Fax 872-1531
- ☐ Windham - Town Hall - 979 Main Street - Willimantic, CT 06226 - (860) 465-3033 Fax 465-3032
- ☐ Stafford - Town Hall, 1 Main Street - Stafford Springs, CT 06076 - (860) 684-5609 Fax 684-1768

Subsurface Sewage Disposal Investigation Results

Oct 26, 2006

20 lots

Hemlock Court - Phase 3

Lot # Street # Street Name

Town

Subdivision

Rya Corporation

P. O. Box 889

Tolland

Ct. 06084-0889

Owner

Owner Address

Town

St Zip

HOLE		HOLE		HOLE		HOLE	
Time	Reading	Time	Reading	Time	Reading	Time	Reading

4 Oct, 2006

Date

Hole Depth Presoak Perc Rate (Min/In)

--

Soil Description Observation Pits

Pit	Pit	Pit	Pit	Pit
See Detailed Report Attached				
Pit	Pit	Pit	PIT DEPTH LEDGE	GROUND WATER SOIL MOTTLING

20 lots

Hemlock Court - Phase 3

Lot # Street # Street Name

Town

Subdivision

Rya Corporation

P. O. Box 889

Tolland

Ct. 06084-0889

Owner

Owner Address

Town

St Zip

SPECIAL CONDITIONSSystem design larger than 2,000 g.p.d? ☐ Yes ☒ NoWater supply watershed? ☐ Yes ☒ NoPossible seasonal high ground water? ☒ Yes ☐ NoWatercourse, marsh or pond? ☐ Yes ☒ NoHigh ground water (less than 3 ft.)? ☐ Yes ☒ NoPossible seasonal flooding? ☐ Yes ☒ NoLimited suitable area? ☐ Yes ☒ NoExcessive slope (over 25%)? ☐ Yes ☒ NoMarginal soil (30-60 mins / inch)? ☒ Yes ☐ NoShallow ledge (less than 5 ft.)? ☐ Yes ☒ NoUnderlying tight soil (less than 4 ft.)? ☒ Yes ☐ NoOther? ☒ Yes ☐ No**CONCLUSION**Suitable for sewage disposal? ☐ Yes ☐ No ☒ PendingAdditional investigation required? ☒ Yes ☐ NoRetest during wet season? ☒ Yes ☐ NoEngineer's plan required ☒ Required
☐ Not Required
☐ Recommended**DESIGN REQUIREMENTS:**

The soil conditions in most areas of this site do not meet the minimum requirements of the public health code. The soils appear to be severely mixed and disturbed in most areas. The mixed soils were embedded with foreign material such as scrap wood, dead root matter, and miscellaneous debris. While there were some test pits in areas that were suitable for septic systems most of the site has been disturbed to the point of rendering it to be in noncompliance with the public health code. Before a subdivision plan can be approved for this land, the engineer must demonstrate that the soils are suitable for septic systems and that they meet all requirements of the public health code.

Investigator
Title

Tarbell, Heintz, &

Confirmed / Witnessed by
TitleAntonio Lopez, R.s.
Registered SanitarianPrepared
By:

Sanitarian

Property/Subdivision Name: Hemlock Court Phase III, East Windsor, CT

Date: 10/04/2006

<p>Test Pit 374 OK</p> <p>0-23" Mixed Brown Loamy Fine Sand w/ organic Material /Fill 23-31" Red Brown Sandy Gravel w/ Small Cobbles Damp 31-86" Somewhat Compact R/B gravelly Sand 34-37" Small Lenses Brownish Loamy Fine Sand Few Faint Mottles Possible Water Table 10 Y/R 6/2 Mottled 7.5 YR 5/6</p> <p>No Water No Ledge 34 Mottles No Roots</p>	<p>Test Pit 373 OK</p> <p>0-29" Mixed Brown Loamy Fine Sand w/ organic Material /Fill 29-36" Red Brown Sandy Gravel w/ Small Cobbles Damp 36-99" Somewhat to Mod. Compact R/B Loamy Sandy Gravel 43-46" Small Lenses Brownish Loamy Fine Sand Few Faint Mottles Possible Water Table 10 Y/R 6/2 Mottled 7.5 YR 5/6</p> <p>No Water No Ledge 43 Mottles No Roots</p>	<p>Test Pit 375 OK</p> <p>0-30" Mixed Brown Loamy Fine Sand w/ organic Material /Fill 30-44" Red Brown Loose Sandy Gravel 44-84" Somewhat Compact R/B gravelly Sand</p> <p>Could not access lower pit - Surface Water Near Pit</p> <p>26" Seepage No Ledge Mottles Indistinct No Roots</p>	<p>Test Pit 351 OK</p> <p>0-61" Fill - Lenses of Organic Topsoil, Pieces of Roots, 5 Y/R 4/3 Small Lenses 7 Y/R 6/2 61-78" Red Brown Sandy Gravel Loose 78" Somewhat Compact Loamy Sandy Gravel</p> <p>No Water No Ledge 34" Faint Mottles No Roots</p>
<p>Test Pit 352 OK</p> <p>0-26" Fill 26-50" Red Brown Tight Sandy Gravel Loose 50-69" Loose R/B Sandy Gravel 54-62" Lenses of 10 Y/R 5/2 Loose Fine Sand w/ Few Bright 7.5 Y/R 5/6 Motts Some 10 Y/R 6/2 Red</p> <p>No Water No Ledge Mottles Indistinct No Roots</p>	<p>Test Pit 365 OK</p> <p>0-24" Fill 10 Y/R 5/3 Fine Sandy Loam 24-40" Red Brown 5 Y/R 4/3 Gravelly Fine Sand Damp - Fill 40-54" 5 Y/R 4/3 Dark Red Brown Loose Sandy Gravel Wet 54-102" Somewhat Compact Red Brown Gravelly Sand</p> <p>No Water No Ledge Mottles Indistinct No Roots</p>	<p>Test Pit 362 OK</p> <p>0-20" Fill - Brown Fine Sandy Loam 20-51 Mixed Red Brown Gravelly Fine Sand w/ Lenses of Loose Sandy Gravel 51-86" Somewhat Compact Red Brown Gravelly Sand</p> <p>No Water No Ledge Mottles Indistinct No Roots</p>	<p>Test Pit 364 OK</p> <p>0-23" Fill - Brown Fine Sandy Loam 23-73 Mixed Red Brown Gravelly Fine Sand 73-84" Somewhat Compact Red Brown Gravelly Sand</p> <p>No Water No Ledge Mottles Indistinct No Roots</p>

Test Pit 342 <i>OK</i>	Test Pit 341 <i>OK</i>	Test Pit 331 <i>OK</i>	Test Pit 332 <i>OK</i>
0-25" Fill – Brown Fine Sandy Loam 25-49" Mixed Red Brown Gravelly Sand Fill 49-90" Somewhat Compact Red Brown Gravelly Sand 5 Y/R 5/3	0-28" Fill – Brown Fine Sandy Loam 28-33" Mixed Red Brown Gravelly Sand Fill 33-90" Loose Red Brown Stratified Sand & Gravel	0-18" Fill – Brown Fine Sandy Loam 18-51" Mixed Red Brown Gravelly Sand Fill 51-89" Loose Red Brown Stratified Sand & Gravel	0-55" Fill – Brown Fine Sandy Loam Pit Caved In
No Water No Ledge Mottles Indistinct No Roots	No Water No Ledge Mottles Indistinct No Roots	No Water No Ledge Mottles Indistinct No Roots	No Water No Ledge 34" Faint Mottles No Roots
Test Pit 322 <i>OK</i>	Test Pit 321 <i>OK</i>	Test Pit 219 <i>OK</i>	Test Pit 315 <i>OK</i>
0-13" Fill – Brown Fine Sandy Loam 13-71 Mixed Red Brown Gravelly Sand Fill 71-95" Loose Red Brown Stratified Sand & Gravel	0-6" Fill – Brown Fine Sandy Loam 6-21 Mixed Red Brown Gravelly Sand Fill 21-62" Pinkish 5 Y/R 7/2 62-85" Coarse Well Stratified Red Brown Sand & Gravel Naturally Occurring	0-13" Fill – Brown Fine Sandy Loam 13-72 Medium Red Brown Sand Striated Loose	0-14" Fill – Brown Fine Sandy Loam 14-84 Coarse Sandy Gravel Caved In
No Water No Ledge Mottles Indistinct No Roots	No Water No Ledge Mottles Indistinct No Roots	No Water No Ledge Mottles Indistinct No Roots	No Water No Ledge Mottles Indistinct No Roots

<p>Test Pit 316 <i>OK</i></p> <p>0-13" Fill - Brown Fine Sandy Loam 13-45" Mixed Red Brown Gravelly Sand Fill 45-96" Loose Red Brown Stratified Sand & Gravel</p> <p>No Water No Ledge Mottles Indistinct No Roots</p>	<p>Test Pit 318 <i>N/C</i></p> <p>0-11" Fill - Brown Fine Sandy Loam 11-47" Mixed Red Brown Gravelly Sand Fill 47-96" Loose Red Brown Stratified Sand & Gravel</p> <p>No Water No Ledge Mottles Indistinct No Roots</p>	<p>Test Pit 313 <i>N/C</i></p> <p>0-12" Fill - Brown Fine Sandy Loam 12-30" Mixed Red Brown Gravelly Sand Fill 30-84" Loose Red Brown Stratified Sand & Gravel</p> <p>No Water No Ledge Mottles Indistinct No Roots</p>	<p>Test Pit 299 <i>N/C</i></p> <p>0-20" Fill - Brown Fine Sandy Loam 20-64" Mixed Red Brown Gravelly Sand Fill 64-91" Loose Red Brown Stratified Sand & Gravel</p> <p>No Water No Ledge Mottles Indistinct No Roots</p>
<p>Test Pit 296 <i>N/C</i> ✓</p> <p>0-16" Fill - Brown Fine Sandy Loam 16-38" Mixed Red Brown Gravelly Sand Fill 38-92" Loose Red Brown Stratified Sand & Gravel</p> <p>No Water No Ledge Mottles Indistinct No Roots</p>	<p>Test Pit 312 <i>N/C</i> ✓</p> <p>0-7" Fill - Brown Fine Sandy Loam 7-38" Mixed Red Brown Gravelly Sand Fill 38-80" Red Brown Somewhat Compact Gravelly Sand</p> <p>No Water No Ledge Mottles Indistinct No Roots</p>	<p>Test Pit 311 <i>OK</i> ✓</p> <p>0-13" Fill - Brown Fine Sandy Loam 13-39" Firm Red Brown Gravelly Sand w/ cobbles 39-59" Loose Red Brown Stratified Sand & Gravel</p> <p>No Water No Ledge Mottles Indistinct No Roots</p>	<p>Test Pit 298 <i>N/C</i> ✓</p> <p>0-20" Fill - Brown Fine Sandy Loam 20-46" Red Brown Somewhat Compact Gravelly Sand Fill 46-96" Loose Red Brown Stratified Coarse Sand</p> <p>No Water No Ledge Mottles Indistinct No Roots</p>
<p>Test Pit 292 <i>N/C</i> ✓</p> <p>0-12" Fill - Brown Fine Sandy Loam 12-64" Red Brown Firm Fine Sand Fill 64-84" Loose Red Brown Stratified Coarse Sand</p> <p>No Water No Ledge Mottles Indistinct No Roots</p>	<p>Test Pit 282 <i>N/C</i> ✓</p> <p>0-12" Fill - Brown Fine Sandy Loam 12-36" Mixed Red Brown Gravelly Sand Fill Somewhat Comp. 36-84" Red Brown Firm Fine Sand</p> <p>No Water No Ledge Mottles Indistinct No Roots</p>	<p>Test Pit 283 <i>OK</i> ✓</p> <p>0-17" Fill - Brown Fine Sandy Loam 17-39" Red Brown Firm Fine Sand 39-96" Loose Red Brown Stratified Medium Sand</p> <p>No Water No Ledge Mottles Indistinct No Roots</p>	<p>Test Pit 277 <i>OK</i> ✓</p> <p>0-22" Fill - Brown Fine Sandy Loam 22-96" Loose Red Brown Stratified Sand & Gravel</p> <p>No Water No Ledge Mottles Indistinct No Roots</p>

<p>Test Pit 278</p> <p>0-35" Fill - Brown Fine Sandy Loam 35-51" Mixed Red Brown Gravelly Sand w/ scrap wood Fill 51-91" Dark Brown Sandy Gravel</p> <p>No Water No Ledge 22" Mottles No Roots</p>	<p>Test Pit 276</p> <p>0-27" Fill - Brown Fine Sandy Loam 27-64" Loose Red Brown Stratified Coarse Sand Caved In</p> <p>No Water No Ledge Mottles Indistinct No Roots</p>	<p>T.P. 282 (Labeled 2X)</p> <p>0-17" Fill - Brown Fine Sandy Loam 17-32" Mixed Red Brown Gravelly Sand Fill 32-87" Loose Red Brown Stratified Coarse Sand</p> <p>No Water No Ledge Mottles Indistinct No Roots</p>	<p>Test Pit 274</p> <p>Disturbed Pit @ Foot of North Hill 0-40" Fill - Brown Fine Sandy Loam 40-102" Mixed Red Brown Gravelly Sand Fill 102-132" Loose Red Brown Stratified Sand & Gravel No Water No Ledge Mottles Indistinct No Roots</p>
<p>Test Pit 264</p> <p>0-22" Fill - Brown Fine Sandy Loam 22-60" Gray Brown Fine Sandy Loam Fill 60-78" Somewhat Compact Red Red Brown Gravelly Sand 78-108" Stratified Coarse R/B Sand No Water No Ledge Mottles Indistinct No Roots</p>	<p>Test Pit 261</p> <p>0-24" Fill - Brown Fine Sandy Loam 24-55" Mixed Red Brown Gravelly Sand Fill 55-90" Loose Red Brown Stratified Coarse Sand No Water No Ledge Mottles Indistinct No Roots</p>	<p>Test Pit 262</p> <p>0-48" Fill - Brown Fine Sandy Loam 48-97" Loose Red Brown Stratified Sand & Gravel No Water No Ledge Mottles Indistinct No Roots</p>	<p>Test Pit 401</p> <p>0-43" Fill - Brown Fine Sandy Loam 43-76" Mixed Red Brown Gravelly Sand Fill 76-96" Loose Red Brown Stratified Coarse Sand No Water No Ledge Mottles Indistinct No Roots</p>
<p>Test Pit 263</p> <p>0-32" Fill - Brown Fine Sandy Loam 32-57" Mixed Red Brown Gravelly Sand Fill 57-91" Loose Red Brown Stratified Coarse Sand No Water No Ledge Mottles Indistinct No Roots</p>	<p>Test Pit 393</p> <p>0-17" Fill - Brown Fine Sandy Loam 17-62" Mixed Red Brown Gravelly Sand Fill 62-96" Loose Red Brown Stratified Coarse Sand No Water No Ledge Mottles Indistinct No Roots</p>	<p>Test Pit 402</p> <p>0-28" Fill - Brown Fine Sandy Loam 28-100" Mixed Red Brown Gravelly Sand Fill No Water No Ledge 13" Mottles No Roots</p>	<p>Test Pit 251</p> <p>0-23" Fill - Brown Fine Sandy Loam 23-48" Mixed Red Brown Gravelly Sand Fill 48-96" Loose Red Brown Stratified Coarse Sand No Water No Ledge Mottles Indistinct No Roots</p>

<p>Test Pit 392 ✓ <i>nc</i> 0-16" Fill - Brown Fine Sandy Loam 16-45" Mixed Red Brown Gravelly Sand Fill 45-89" Loose Red Brown Stratified Coarse Sand</p> <p>No Water No Ledge Mottles Indistinct No Roots</p>	<p>Test Pit 253 ✓ <i>nc</i> 0-13" Fill - Brown Fine Sandy Loam 13-57" Mixed Red Brown Gravelly Sand Fill 57-93" Loose Red Brown Stratified Coarse Sand</p> <p>No Water No Ledge Mottles Indistinct No Roots</p>	<p>Test Pit 252 ✓ <i>nc</i> 0-36" Fill - Brown Fine Sandy Loam 36-58" Mixed Red Brown Gravelly Sand Fill 58-96" Loose Red Brown Stratified Coarse Sand</p> <p>No Water No Ledge Mottles Indistinct No Roots</p>	<p>Test Pit 271 ✓ <i>nc</i> 0-22" Fill - Brown Fine Sandy Loam 22-70" Mixed Red Brown Gravelly Sand Fill 70-88" Loose Red Brown Stratified Coarse Sand</p> <p>No Water No Ledge Mottles Indistinct No Roots</p>
<p>Test Pit 281 ✓ <i>nc</i> 0-31" Fill - Brown Fine Sandy Loam 31-50" R/B Firm Fine Sand 50-72" Mixed R/B Gravelly Sand Fill 72-96" Loose Red Brown Stratified Coarse Sand</p> <p>N.W., N.L., N.R. Mottles Indistinct</p>	<p>Test Pit 280 ✓ <i>nc</i> 0-24" Fill - Brown Fine Sandy Loam 24-42" Mixed R/B Gravelly Sand Fill 42-51" R/B Loose Sandy Gravel 51-84" Loose Red Brown Stratified Coarse Sand</p> <p>N.W., N.L., N.R. Mottles Indistinct</p>	<p>Test Pit 291 ✓ <i>nc</i> 0-24" Fill - Brown Fine Sandy Loam 24-46" Mixed Red Brown Gravelly Sand Fill 46-96" Loose Red Brown Stratified Coarse Sand</p> <p>No Water No Ledge Mottles Indistinct No Roots</p>	<p>Test Pit 281 ✓ <i>nc</i> 0-64" Fill - Brown Fine Sandy Loam 64-96" Loose Red Brown Stratified Coarse Sand</p> <p>No Water No Ledge Mottles Indistinct No Roots</p>
<p>Test Pit 293 ✓ <i>nc</i> 0-17" Fill - Brown Fine Sandy Loam 17-23" Red Brown Fine Sand Firm 23-100" Loose Red Brown Stratified Coarse Sand</p> <p>No Water No Ledge Mottles Indistinct No Roots</p>	<p>Test Pit 294 ✓ <i>nc</i> 0-20" Fill - Brown Fine Sandy Loam 20-40" Mixed Red Brown Gravelly Sand Fill 40-108" Loose Red Brown Stratified Coarse Sand</p> <p>No Water No Ledge Mottles Indistinct No Roots</p>	<p>Test Pit 412 ✓ <i>nc</i> 0-36" Mottled Fill - Brown Fine Sandy Loam 36-75" R/B Mod. Comp. Gravelly Sand 75-96" Loose Red Brown Stratified Coarse Sand</p> <p>Standing Water No Ledge Mottles to Top 0" No Roots</p>	<p>Test Pit 411 ✓ <i>nc</i> 0-38" Mottled Fill - Brown Fine Sandy Loam 38-86" Loose Red Brown Stratified Coarse Sand</p> <p>No Water No Ledge 6" Mottles No Roots</p>

<p>Test Pit 421 01C</p> <p>0-24" Fill - Brown Fine Sandy Loam 24-93" Loose Red Brown Stratified Coarse Sand & Gravel</p> <p>No Water No Ledge Mottles Indistinct No Roots</p>	<p>Test Pit 432 n6</p> <p>0-26" Fill - Brown Fine Sandy Loam 26-69" Red Brown Moderately Compact Gravelly Sand Fill 69-89" Loose Red Brown Stratified Coarse Sand</p> <p>No Water No Ledge Mottles Indistinct No Roots</p>	<p>Test Pit 422 01C</p> <p>0-18" Fill - Dark Brown Fine Sandy Loam 18-72" Loose Red Brown Stratified Coarse Sand Caved In</p> <p>No Water No Ledge Mottles Indistinct No Roots</p>	<p>Test Pit Not Labeled (Lot 38) 01C</p> <p>0-24" Fill - Brown Fine Sandy Loam 24-96" Loose Red Brown Stratified Coarse Sand</p> <p>No Water No Ledge Mottles Indistinct No Roots</p>
<p>Test Pit Not Labeled (Lot 40) 01C</p> <p>0-18" Fill - Brown Fine Sandy Loam 18-96" Loose Red Brown Stratified Coarse Sand</p> <p>No Water No Ledge Mottles Indistinct No Roots</p>	<p>Test Pit 403 n6</p> <p>0-23" Fill - Brown Fine Sandy Loam w/ junk and trash 23-103" Mixed Red Brown Gravelly Sand Fill</p> <p>No Water No Ledge Mottles Indistinct No Roots</p>	<p>Test Pit 391 n6</p> <p>0-18" Fill - Brown Fine Sandy Loam 18-80" Red Brown Mod. Compact Gravelly Sand Fill 80-96" Loose Red Brown Stratified Coarse Sand</p> <p>No Water No Ledge Mottles Indistinct No Roots</p>	<p>Test Pit 295 n6</p> <p>0-31" Fill - Brown Fine Sandy Loam 31-80" Red Brown Mod. Compact Gravelly Sand Fill 80-98" Red Brown Stratified Coarse Gravel</p> <p>No Water No Ledge Mottles Indistinct No Roots</p>
<p>Test Pit 380 01C</p> <p>0-26" Fill - Brown Fine Sandy Loam 26-94" Loose Red Brown Stratified Coarse Sand</p> <p>No Water No Ledge Mottles Indistinct No Roots</p>	<p>Test Pit 381 n6</p> <p>0-21" Fill - Brown Fine Sandy Loam 21-60" Red Brown Mod. Compact Gravelly Sand Fill 60-96" Loose Red Brown Stratified Coarse Gravelly Sand</p> <p>No Water No Ledge Mottles Indistinct No Roots</p>	<p>Test Pit 394 n6</p> <p>0-24" Fill - Brown Fine Sandy Loam 24-92" Red Brown Mod. Compact Gravelly Sand Fill 92-112" Loose Red Brown Stratified Coarse Sand</p> <p>No Water No Ledge Mottles Indistinct No Roots</p>	<p>Test Pit 382 n6</p> <p>0-32" Fill - Brown Fine Sandy Loam 32-96" Red Brown Mod. Compact Gravelly Sand Fill</p> <p>No Water No Ledge Mottles Indistinct No Roots</p>

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<p>Test Pit Between 381 & 384 Unlabeled <i>OK</i></p> <p>0-16" Fill - Brown Fine Sandy Loam 16-96" Loose Red Brown Stratified Coarse Sand</p> <p>No Water No Ledge Mottles Indistinct No Roots</p>	<p>Test Pit 384 Labeled Twice <i>OK</i></p> <p>0-18" Fill - Brown Fine Sandy Loam 18-40" Red Brown Mod. Compact Gravelly Sand Fill 40-96" Loose Red Brown Stratified Coarse Sand</p> <p>No Water No Ledge Mottles Indistinct No Roots</p>	<p>Test Pit 383 <i>OK</i></p> <p>0-24" Fill - Brown Fine Sandy Loam 24-84" Loose Red Brown Stratified Coarse Sand</p> <p>No Water No Ledge Mottles Indistinct No Roots</p>	<p>Test Pit 371 <i>OK</i></p> <p>0-18" Fill - Brown Fine Sandy Loam 18-104" Loose Red Brown Stratified Coarse Sand</p> <p>No Water No Ledge Mottles Indistinct No Roots</p>
<p>Test Pit 372 <i>OK</i></p> <p>0-30" Fill - Brown Fine Sandy Loam 30-96" Loose Red Brown Stratified Coarse Sand</p> <p>No Water No Ledge Mottles Indistinct No Roots</p>	<p>Test Pit 376 <i>OK</i></p> <p>0-34" Fill - Brown Fine Sandy Loam 34-96" Loose Red Brown Stratified Coarse Sand</p> <p>No Water No Ledge Mottles Indistinct No Roots</p>		



TOWN OF EAST WINDSOR
ENGINEERING & PUBLIC WORKS
11 Rye Street, P.O. Box 389, Broad Brook 06016

Leonard J. Norton, P.E. - Director of Public Works/Town Engineer- Phone (860) 292-7073, Fax (860)292-7072

Interoffice Memorandum

Date: 4-16-07
To: Mr. Kevin Leslie, WPCA
From: Mr. Leonard J. Norton, P.E. *LEJ*
Re: Hemlock Court III – Hemlock & Aspen Drives

In response to your request, I have reviewed the photocopied portions of sheet 14 of 14 revised to 4-5-07 by Gregory Blessing, P.E. & Associates. The copies show the revisions to the storm and sanitary sewer trench details, as requested.

I take no exceptions to the plans as revised.

Please call with questions or concerns.

**EAST WINDSOR
WATER POLLUTION CONTROL AUTHORITY**

PO Box 359
192 S. Water St.
Phone (860) 292-8264
Fax (860) 292-8263

TO: Bruce Fader
FROM: Kevin Leslie, W.P.C.A. Superintendent
DATE: February 26, 2007
RE: Response to your memo dated February 21, 2007

1. The East Windsor WWTF is designed for an average daily flow of 2.5 MGD.

Over the last 12 months the flow has averaged 0.98MGD

% of average flow to deign flow =.39%

2. A copy of the standard Guidelines for Sanitary Sewer Construction is enclosed.

3. The East Windsor sewer ordinance can be downloaded from the town website.

4. There are no completed agreements at this time.

5. A copy of the current sewer service area map as well as the OPM map are enclosed.

6. The sewer service are map was part of the Facilities Plan developed in conjunction the the last treatment plant expansion. The Facilities Plan is dated March 1992.

7. The WPCA does not require Public Hearings for applications as part of the approval process. The acceptance of the application for which you are writing has been placed on the February 28th agenda.

8a. No.

8b. The submitted plans indicate a connection into the SJK subdivision sewer lines. The SJK subdivision will be served by a pumping station. We do not have enough technical information About this pumping station to determine it's ability to service an additional 26 lots.

A handwritten signature in dark ink, appearing to be 'Dew' or similar, written in a cursive style.